

MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE PROJECT

MAY 05, 2004

DIVISION ONE

B164681      Hawthorne Plaza, LLC.                      (Not for Publication)  
                         v.  
                         M & A Gabae, et al.

The summary judgment entered November 22, 2002, is reversed.  
The January 8, 2003, order awarding attorney fees is vacated. The  
matter is remanded for further proceedings consistent with the views  
expressed herein. The parties shall bear their own costs on appeal.

Ortega, Acting P.J.

We concur:    Vogel (Miriam A.), J.  
                         Mallano, J.

B164964      Richard C. Kennerly                      (Not for Publication)  
                         v.  
                         JMLB, Inc.

The judgment is affirmed. Respondent(s) to recover costs.

Ortega, J.

We concur:    Spencer, P.J.  
                         Mallano, J.

May 05, 2004 (Continued)

DIVISION TWO

B162414      People      (Not for Publication)  
v.  
Ward

The judgment is affirmed.

Boren, P.J.

We concur:   Doi Todd, J.  
                   Ashmann-Gerst, J.

DIVISION THREE

B172455 Lisa M. (Not for Publication)  
v.  
Superior Court, Los Angeles County  
(Los Angeles County Dept. of Children and Family Services, r.p.i.)

The writ petition is granted in part to set aside the true finding on the supplemental petition under which Brianna was removed from mother's care. In all other respects, the petition is denied.

Klein, P.J.

We concur:   Croskey, J.  
                          Kitching, J.

B163694	People v. Nguyen, et al.
B168413	In Re Jason Tran on Habeas Corpus

Filed order modifying opinion. (Change in judgment)

## DIVISION FIVE

Court convened at 9:00 a.m.

Present: Turner, P.J., Grignon, J., Armstrong, J. and Zaida G. Heraldez, Deputy Clerk.

May 05, 2004 (Continued)

DIVISION FIVE (Continued)

B170326      People  
                 v.  
                 Jose Antonio Vasquez  
                 Rosa Alicia Canas

Merits:

Argued by Matthew G. Monforton, Deputy District Attorney for appellant and by Mark Harvis, Deputy Public Defender and Michael E. Goodman, Deputy Public Defender for respondents. Cause submitted.

Court recessed.

Court reconvened at 9:16 a.m.

Present: Turner, P.J., Grignon, J., Mosk, J. and Zaida G. Heraldez, Deputy Clerk, Deputy Clerk.

Each of the following:

B168714 People v. Gary Johnson & Larry Durham  
B167479 People v. Eddie Morejon  
B169023 Azerea G., DCFS v. Dawn G. & Tallie W.  
B167812 Liang v. Brockway et al.  
B168524 People v. Johnny Rodriguez

Argument waived, cause submitted.

B164990      Scottsdale Insurance Co., et al.  
                 v.  
                 Zimmerman & Kahonowitch

Merits:

Argued by Gary A. Hamblet for appellant and by Andrew J. Waxler for respondents. Submission deferred pending the filing of letter briefs.

DIVISION FIVE (Continued)

B171363     People  
              v.  
              Michael Wayne Michau

Merits:  
Argued by Matthew G. Monforton, Deputy District Attorney for  
appellant and by Mark Harvis Deputy Public Defender for  
respondent. Cause submitted.

B168347     Edwin F. David  
              v.  
              City of Los Angeles

Merits:  
Argued by William A. Kent for appellant and by Robert Cramer for  
respondent. Cause submitted.

B167678     Stefani Simmons  
              v.  
              Mathias Fobi

Merits:  
Argued by Daniel M. Graham for appellant and by Patrick E.  
Stockalper for respondent. Cause submitted.

Court recessed.

Court reconvened at 11:07 a.m.

Present: Grignon, Acting P.J., Armstrong, J., Mosk, J. and Zaida G. Heraldez,  
Deputy Clerk.

Each of the following:

B165953 People v. Matthew Paul McCarthy  
B169225 People v. Rufus O. Hicks  
B167927 People v. Mercedes Navarette

DIVISION FIVE (Continued)

Each of the following (continued):

B166505 People v. Darrin Pettis

Argument waived, cause submitted.

B170329      People  
                  v.  
                  Carlos Boomer Salazar

Merits:

Argued by Matthew G. Monforton, Deputy District Attorney for appellant and by Mark G. Harvis, Deputy Public Defender for respondent. Cause submitted.

B167204      People  
                  v.  
                  Kendall Shaka Broughton

Merits:

Argued by Susan K. Keiser for appellant and by Myung J. Park, Deputy Attorney General for respondent. Cause submitted.

B172662      Henry C. Yuen, et al.  
                  v.  
                  Superior Court, Los Angeles County  
                  (Gemstar-TV Guide International Inc., et al. r.p.i.)

Merits:

Argued by Michelle A. Rice for petitioner and by Richard L. Stone for real parties in interest. Cause submitted.

Court recessed.

Court reconvened at 1:00 p.m.

May 05, 2004 (Continued)

DIVISION FIVE (Continued)

Present: Grignon, Acting P.J., Armstrong, J., Mosk, J. and Zaida G. Heraldez,  
Deputy Clerk.

B165035     Harold Ross  
               v.  
               Jamey Pratt

Merits:

Argued by Edmund G. Farrell for appellant and by Thomas N.  
Thompson for respondent. Cause submitted.

B166925     Cecilia Lin  
               v.  
               Department of Health Services, et al.

Merits:

Argued by Carl W. Greifzu for appellant and by John Venegas,  
Deputy Attorney General for appellants. Cause submitted.

B166186     Adel Salawy, et al.  
               v.  
               Ocean Towers Housing Corp., et al.

Merits:

Argued by Edmund S. Schaffer for respondent and no appearance by  
for respondent. Cause submitted.

Court adjourned.

B172694     Gemstar-TV Guide International et al.,  
               v.  
               Henry Yuen, et al.

Filed order dismissing appeal on court's motion. Appeal (notice of  
appeal filed January 12, 2004) dismissed.

DIVISION EIGHT

B164470      IN4NETWORK, INC.,                      (Not for Publication)

v.

The University of Southern California

The judgment is affirmed. Costs of appeal are awarded to respondent USC.

Boland, J.

We concur:   Cooper, P.J.  
                  Rubin, J.

B167231      People    (Not for Publication)

v.

Salazar

The judgment is reversed.

Boland, J.

We concur:   Cooper, P.J.  
                  Rubin, J.

B159579      Stevenson    (Not for Publication)

v.

Harjani, et al.

The judgment is affirmed. The Harjanis shall recover their costs on appeal.

Rubin, J.

We concur:   Cooper, P.J.  
                  Flier, J.